

FILED 25 MAR '16 11:05 USDC-ORP

Hon. Winston Shrout
c/o PO Box 4043
Hillsboro, Oregon
97123-9998

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA [sic])	
)	Case No. 3:15-cr-00438-JO
v.)	
)	PLEA IN BAR AND DEMAND
WINSTON SHROUT [sic])	FOR WRITTEN BILL OF PARTICULARS
)	TRUE BILL IN COMMERCE
)	OF NECESSITY

By: Winston Shrout, as Real Party in Interest, 3rd Party Interest Intervenor under Injury, Sole Shareholder in WINSTON SHROUT, Settlor/Beneficiary of WINSTON SHROUT 401643573

COMES NOW Winston Shrout, a Real Party in Interest, 3rd Party Interest Intervenor under Injury, Sole Shareholder in WINSTON SHROUT, Settlor and Beneficiary of WINSTON SHROUT 401643573, who is neutral in the public, who is unschooled in law, and making a special appearance before this court under the supplemental rules of Admiralty, Rule E(8), a restricted appearance, without granting jurisdiction, and notices the court of enunciation of principles as stated in Haines v. Kerner, 404 U.S. 519, wherein the court has directed that those who are unschooled in law making pleadings and/or complaints shall have the court look to the substance of the pleadings rather in than the form, and hereby makes the following pleadings/notices in the above referenced matter without waiver of any other defenses.

PLEA IN BAR
PLAINTIFF FAILS OF ANY CAUSE OF ACTION

Winston Shrout, a Real Party in Interest, 3rd Party Interest Intervenor under Injury, Sole Shareholder in WINSTON SHROUT, Settlor and Beneficiary of WINSTON SHROUT 401643573 (hereinafter Affiant) makes this Plea in Bar and Demand for Written Bill of Particulars with a subsequent True Bill in Commerce.

Affiant, over the age of twenty-one (21) years, competent to testify with firsthand knowledge does answer SUPERSEDING INDICTMENT Case No: 3:15-CR-00438-JO to wit:

1. As to Plaintiff's item number "1.", denied answers Affiant. There is not any evidence that Winston SHROUT [sic], or any variation thereof, is a resident of Hillsboro, Oregon, and Affiant believes that no such evidence does exist.

2. As to Plaintiff's item number "2.", denied answers Affiant. There is not any evidence that "WSSIC" [sic] exists, and Affiant believes that not any such evidence exists.
3. As to Plaintiff's item number "3.", denied answers Affiant. There is not any evidence that the assumptions in item 3 exist, and Affiant believes that no such evidence does exist.
4. As to Plaintiff's item number "4.", denied answers Affiant. There is not any evidence that "SHROUT" [sic] nor "WSSIC" [sic] exist, and Affiant believes that no such evidence does exist.
5. As to Plaintiff's item number "5", denied answers Affiant. There is not any evidence that SHROUT [sic] received any pension payments, and Affiant believes that no such evidence exists.
6. As to Plaintiff's item number "6", denied answers Affiant. There is not any evidence that SHROUT [sic] "devised and participated in a material scheme and artifice", and Affiant believes that no such evidence exists.
7. As to Plaintiff's item number "7", denied answers Affiant. There is not any evidence that SHROUT [sic] "produced fictitious financial instruments", and Affiant believes that no such evidence exists.
8. As to Plaintiff's item number "8", denied answers Affiant. There is not any evidence that SHROUT [sic] participated in these assumptions, and Affiant believes that no such evidence exists.
9. As to Plaintiff's item number "9", denied answers Affiant. There is not any evidence that SHROUT [sic] participated in these assumptions, and Affiant believes that no such evidence exists.
10. As to Plaintiff's item number "10", denied answers Affiant. There is not any evidence that SHROUT [sic] participated in these assumptions, and Affiant believes that no such evidence exists.
11. As to Plaintiff's item number "11", denied answers Affiant. There is not any evidence that SHROUT [sic] participated in these assumptions, and Affiant believes that no such evidence exists.
12. As to Plaintiff's item number "12", denied answers Affiant. There is not any evidence that SHROUT [sic] participated in these assumptions, and Affiant believe that no such evidence exists.
13. As to Plaintiff's item number "13", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence exists.

14. As to Plaintiff's item number "14", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic], "with intent to defraud as to a material matter", exists, and Affiant believes that no such evidence exists.

15. As to Plaintiff's item number "15", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believe that no such evidence does exist.

16. As to Plaintiff's item number "16", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "with intent to defraud as to a material matter", exists, and Affiant believes that no such evidence does exist.

17. As to Plaintiff's item number "17", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence does exist.

18. As to Plaintiff's item number "18", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "with intent to defraud as to a material matter", exists, and Affiant believes that no such evidence does exist.

19. As to Plaintiff's item number "19", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence does exist.

20. As to Plaintiff's item number "20", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "with intent to defraud as to a material matter" exists, and Affiant believes that no such evidence does exist.

21. As to Plaintiff's item number "21", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence does exist.

22. As to Plaintiff's item number "22", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] committed any of the alleged acts, and Affiant believe that no such evidence does exist.

23. As to Plaintiff's item number "23", denied answers Affiant. There is not any evidence of any "factual allegations" existing, and Affiant believe that no such evidence does exist.

24. As to Plaintiff's item number "24", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "received gross income", and Affiant believe that no such evidence does exist.

25. As to Plaintiff's item number "25", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence does exist.

26. As to Plaintiff's item number "26", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "received gross income", and Affiant believe that no such evidence does exist.

27. As to Plaintiff's item number "27", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence does exist.

28. As to Plaintiff's item number "28", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "received gross income", and Affiant believe that no such evidence does exist.

29. As to Plaintiff's item number "29", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence does exist.

30. As to Plaintiff's item number "30", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "received gross income", and Affiant believe that no such evidence does exist.

31. As to Plaintiff's item number "31", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence does exist.

32. As to Plaintiff's item number "32", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "received gross income", and Affiant believe that no such evidence does exist.

33. As to Plaintiff's item number "33", denied answers Affiant. There is not any evidence that "Introductory Allegations" exist, and Affiant believes that no such evidence does exist.

34. As to Plaintiff's item number "32", denied answers Affiant. There is not any evidence that WINSTON SHROUT [sic] "received gross income", and Affiant believe that no such evidence does exist.

35. As to the following: UNITED STATES DISTRICT COURT, DISTRICT OF OREGON, PORTLAND DIVISION, UNITED STATES OF AMERICA, WINSTON SHROUT, SUPERSEDING INTIDCTMENT, 18 USC 514(a)(1), 18 USC 514 (a)(2), 18 USC 514(a)(3), 26 USC 7203, THE GRAND JURY CHARGES, Winston SHROUT, SHROUT, BILLY J. WILLIAMS, STUART A. WEXLER, RYAN R. RAYBOULD, Affiant denies that they exist. There is not any evidence that said 'fictions' exist, and Affiant believes that no such evidence does exist.

36. Affiant notices that alleged (no Notice of Appearance filed into the Court) cause of action without notice to Winston ShROUT constitutes a 'star chamber' proceeding. Winston ShROUT was denied due process of law under the 4th and 14th amendments to the Constitution of the United States of America as in this 'star chamber'.

37. Since a TRUE BILL [sic] was issued by this GRAND JURY [sic], Winston ShROUT, a Real Party in Interest, 3rd Party Interest Intervenor under Injury, Sole Shareholder in WINSTON SHROUT, Settlor and Beneficiary of WINSTON SHROUT 401643573, is entitled to DEMAND FOR WRITTEN BILL OF PARTICULARS and a TRUE BILL IN COMMERCE as at this point Winston ShROUT has absolutely no knowledge of the nature and cause of this INDICTMENT

[sic], the whole of the process being done behind 'closed doors'. Winston Shrout as Sole Shareholder in WINSTON SHROUT, Settlor and Beneficiary of WINSTON SHROUT 401643573 makes this:

LAWFUL DEMAND FOR WRITTEN BILL OF PARTICULARS

Be it known and remembered by all to whom these presents come and may concern: This is a Lawful Demand for a Written Bill of Particulars. All parties take notice the above named Winston Shrout, hereinafter Demandant, is herewith submitting this timely Lawful Demand for a Written Bill of Particulars to the named Respondent(s) and their fellow agents and principals presently known as Billy J. Williams, dba BILLY J. WILLIAMS [sic], Acting United States Attorney, BAR # unknown, Stuart A. Wexler, dba STUART A. WEXLER [sic], USDOJ Tax Division Trial Attorney BAR # unknown, and Ryan R. Raybould, dba RYAN R. RAYBOULD [sic], USDOJ Tax Division Trial Attorney BAR # unknown;

The Demandant is herein requiring that this Bill of Particulars be fully answered, responded to and presented to the Demandant in the timely manner specified below so that the Demandant may ascertain the particular nature and cause of the accusations being made against the Demandant;

This Demand for a Lawful Bill of Particulars is being made within the jurisdiction and venue of the above court, as is proper according to due process of Law. As is required in Law, all questions herein made to the Respondent(s) must be answered true, correct, and complete, and not misleading, and with full awareness of the penalties for bearing false witness. **Failure to answer, plead, or otherwise perfect the Record in Law in response to all said questions will be deemed as an abandonment of prosecution by the Respondent(s) to lay, evidence, and prove in Law before this Honorable Court any purported right or claim against the Demandant;**

The Demandant is without sufficient knowledge as to the nature and cause of the purported accusations made and being made by the Plaintiff(s) in this matter so as to make a response to any pleading or a defense to the ongoing unlawful persecution of the Demandant in a foreign and strange venue of unknown and purported law. It appearing that Attorney(s) for Plaintiff's, hereinafter Respondent(s), intent is to prosecute against Demandant using fictional entity WINSTON SHROUT, Respondent(s) are noticed that WINSTON SHROUT and any derivative thereof is the proprietary copyright/trademark of Winston Shrout. Notice is given that to bring action against WINSTON SHROUT or any derivative thereof is illegal and unlawful. Winston Shrout is a Secured Party and has a perfected security interest and priority claim against WINSTON SHROUT or any derivative thereof [see official case file for 3:15-CR-00438-JO].

Take notice that failure to acknowledge the Demandant by Demandant's rightful Christian appellation, Winston Shrout, is *prima facie* evidence of bad and malicious prosecution of an unlawful criminal nature on the part of Respondent(s);

The Respondent(s) must respond and answer these particular questions presented in the reasonable time of ten (10) days, as is usual and customary in due process of Law unless said Respondent(s) are using stall and delay tactics to avoid this demand. Respondent(s) may make a good faith written request showing a *bona fide* need for more time than ten days, and with a

showing of reasonable facts in support as to why more time should be allowed, the Demandant may allow Respondent(s) to respond within an additional time. Otherwise, failure to respond within ten days from receipt of this Demand will result in a default against the Respondents(s).

Questions for the Bill of Particulars

Parties:

1. In Case No. 3:15-cr-00438-JO, hereinafter "Case", what is the name and mailing location of the real party in interest?
2. In Case what is the name and mailing location of the injured party?
3. In Case what is the name and mailing location of any agent for real party in interest?
4. In Case what is the name and mailing location of any agent for injured party?
5. In Case what is WINSTON SHROUT?
6. In Case is UNITED STATES OF AMERICA, hereinafter USA, a corporation?
7. In Case is UNITED STATES DISTRICT COURT DISTRICT OF OREGON PORTLAND DIVISION, hereinafter USDC, a legal fiction?
8. In Case is USA dealing only in fiction and only with legal fictions?
9. In Case is USDC a for profit and gain corporation, profiting from use or sale of GSA bonds?
10. In Case what is the name and address of the bonding agency for USDC/Case?
11. In Case if USDC is, in fact, a corporation where is the public record of USDC registered?
12. In Case is USDC the same entity as the District Court for the United States of America?
13. In Case does USDC have a constitution/contract with the people of Oregon state or any state of the Union of States?
14. In Case is USDC a limited liability corporation?
15. In Case is USDC a legal fiction entity, 14th Amendment person, individual, commercial strawman, or juristic person created by the federal government?
16. In Case does USA/USDC have a privity relationship with WINSTON SHROUT?
17. In Case does USA/USDC have an aggregate relationship with WINSTON SHROUT?
18. In Case is WINSTON SHROUT a surety, liable party or otherwise business partner of USA/USDC?
19. In Case has Winston ShROUT entered into any contract with USA/USDC knowingly, willingly, and for certain and fair consideration, that would controvert non-surety status to WINSTON SHROUT?
20. In Case has USDC/Respondent(s) done a Uniform Commercial Claim search to determine any priority claim on WINSTON SHROUT or any derivative thereof?
21. Since the USDC is corporate in nature and operates in bankruptcy, who is holding the bond in Case, and what is the contact information for the bonding entity?

Venue:

1. In Case, hereinafter "Case", what is the place of controversy?
2. In Case is place of controversy Oregon state or USA?
3. In Case is USDC under the control of USA?
4. In Case what is the metes and bounds description of USA?

5. In Case is Oregon state under the control of USA?
6. In Case if answer to Venue: 5. is yes, where is the evidence that people of Oregon state contracted with USA to subject people of Oregon state which was admitted to the Union of States post Civil War [circa 1865] to military or other control of USA?
7. In Case is the venue of USA in equity?
8. In Case does the venue of USA include the physical body of Winston ShROUT?
9. In Case if answer to Venue: 8. is yes, where is the evidence that Winston ShROUT is in equity with USA?
10. In Case does USDC sit in Oregon state?
11. In Case does USDC lie in USA?
12. In Case does USDC sit in equity in USA?

Jurisdiction:

1. In Case where is the contract between Winston ShROUT and/or WINSTON SHROUT with USA/USDC to establish jurisdiction of USDC?
2. In Case if such contract exists as in Jurisdiction: 1., who is the creator of the WINSTON SHROUT trust?
3. In Case if such contract exists as in Jurisdiction: 1., who is the trustee of the WINSTON SHROUT trust?
4. In Case if such contract exists as in Jurisdiction: 1., what/where is the cestui que trust of the WINSTON SHROUT trust?
5. In Case if such contract exists as in Jurisdiction: 1., who is the naked owner of the assets of WINSTON SHROUT trust?
6. In Case if such contract exists as in Jurisdiction: 1., who/what is operating as the usufruct of WINSTON SHROUT trust?
7. In Case if such contract exists as in Jurisdiction: 1., is contract consensual?
8. In Case if such contract exists as in Jurisdiction: 1., is contract applicable to Winston ShROUT?
9. In Case if such contract exists as in Jurisdiction: 1., who has priority claim to title of contract?
10. In Case if such contract exists as in Jurisdiction: 1., was there full disclosure of contract to all parties?
11. In Case if such contract exists as in Jurisdiction: 1., was there threat of force, coercion, duress, or threat of arms?
12. In Case if such contract exists as in Jurisdiction: 1., was contract void of fraud and deception?
13. In Case does Respondent(s) have power of attorney for USA?
14. In Case if answer to Jurisdiction: 13., is yes has Respondent(s) gotten power of attorney for USA by proper procedure?
15. In Case if answer to Jurisdiction: 14., is yes, what is the evidence of the attorney/client contract?
16. In Case is Respondent(s) acting in public policy rather the 'law'?
17. In Case upon what grounds does Respondent(s) assert subject matter jurisdiction?
18. In Case upon what grounds does Respondent(s) assert *in personam* jurisdiction?
19. In Case upon what grounds does Respondnt(s) assert *in rem* jurisdiction?

20. In Case does Respondent(s) assert a Bill of Attainder (Bill of “pains and penalties”) against Winston Shrout?
21. In Case upon what premise does Defendant(s) assert standing to sue as against Winston Shrout/secured party of WINSTON SHROUT or any derivative thereof?
22. In Case what is the enabling act and date for 26 USC 7203 and where can it be found in the Statutes at Large publications?
23. In Case is Respondent(s) bound by Uniform Commercial Code statutes?
24. In Case is Respondent(s) bound by United States Code?
25. In Case what is the organic act that created USDC?

Right of Action:

1. In Case what is the right of action of Plaintiff?
2. In Case what is the jurisdiction for the right of action of Plaintiff?
3. In Case can USA, a fiction, possess a right of action?
4. In Case can any legal fiction possess a right of action?
5. In Case can any legal fiction possess a right?
6. In Case can Winston Shrout/secured party possess a right?
7. In Case does USA, a fiction not as a real party in interest, assert a lien right to sue?
8. In Case, if the answer to Right of Action: 7., is yes, from what source does the lien right arise?
9. In Case does USA assert an equitable lien right?
10. In Case, if the answer to Right of Action: 9., is yes, from what source does the equitable lien right arise?
11. In Case do all parties possess statutory right of action?
12. In Case do all people under military venue of USA possess statutory right of action?
13. In Case does the corporation known as the Internal Revenue Service have a right of action as a real party in interest?

Cause of Action:

1. In Case what is USA cause of action?
2. In Case can a legal fiction be injured?
3. In Case is USA injured?
4. In Case does agent for WINSTON SHROUT or naked owner and/or beneficiary have standing to sue for damages based on injury to the estate?
5. In Case without testimony of a real party in interest does Respondent(s) establish a cause of action?
6. In Case without cause of action does Respondent(s) establish a right of action?
7. In Case without cause of action does Respondent(s) establish a claim upon which relief can be granted?
8. In Case does the corporation known as the Internal Revenue Service have a cause of action as a real party in interest?

Procedure:

1. In Case did Respondent(s) follow correct procedure?
2. In Case did Respondent(s) exhaust all administrative remedies before bringing Case into a tax supported court known as the USDC?
3. In Case does Respondent(s) impede commerce of Winston Shrout by 'arrest' of US vessel, WINSTON SHROUT, which is sole property of Winston Shrout?
4. In Case does Respondent(s) act in proper procedure in public policy.
5. In Case if Respondent(s) admits to violation of Procedure: 1, 2, 3, and 4, does Respondent(s) know that the remedy for Winston Shrout is prosecution under the laws of commerce?

Conclusion

The foregoing Demand for a Written Bill of Particulars is not to be construed as 'discovery', a traverse into any matter, an appearance in Respondent's purported jurisdiction or venue, a waiver of any lawful rights, or in any way a motion or joinder to the referenced matter or to any unlawful tribunal, nor discovery to the merits of the matter.

Failure by Respondent(s), singularly or collectively, to timely and completely respond to this demand will be construed as an unlawful act by each or all Respondent(s) to willfully withhold full disclosure of the nature and cause of the purported accusations Respondent(s) is instituting, or have already instituted, in the referenced matter, and will make it impossible under law for the Demandant to meaningfully enter into any joinder of issues with Respondent(s) as regards to the merits of Respondent's accusations or purported indictments.

Failure to provide a true, correct, and complete Bill of Particulars shall be construed as a failure to prosecute, a request to dismiss, and constructive intent by the Defendant(s) and all related co-Defendant(s) to enter a *nolle prosequi* by tacit procuration.

NOTICE TO ALL PARTIES

Any attempts to block, dismiss, or 'rescue' the Respondent(s) from answering this Demand for a Written Bill of Particulars will be dealt with in the commercial venue, not in fiction. This case has allegedly been generated by a "True Bill" by an alleged Grand Jury. Demandant, Winston Shrout, was never informed of said Grand Jury hearing and hence had no opportunity to speak nor appear in his proper person to refute or rebut any claims which might have been made. Since the "star chamber" type hearings have long been outlawed in our justice system, this is/was an unlawful act. But **of necessity**, since the genesis of the indictment is from a true bill, then it is a natural right that this Demandant would issue this "bill" to correspond to the previous "bill" to determine the nature and cause of that original "bill". If it is found that this alleged "true bill" is in the form of a Bill of Attainder, **then this would be a treasonable act** against the organic Constitution for the united States of America and would be returned to the nearest US Army Provost Marshal for action in a Courts Marshal to include all named parties to include the members of said Grand Jury.

NOTICE TO PRINCIPAL IS NOTICE TO AGENT/NOTICE TO AGENT IS NOTICE TO PRINCIPAL

True Bill in Commerce for Injury to Winston ShROUT

For the injury of Case No: 3:15-CR-00438-JO is with the remedy/True Bill in Commerce.

For the injury against the WINSTON SHROUT estate is with the True Bill in Commerce.

For the injury/false allegation/penal sum of nineteen (19) counts at Two-hundred fifty thousand (\$250,000) dollars per count is with the remedy.

\$250,000	\$4,750,000	
X 19	X 3	punitive
\$4,750,000	\$14,250,000	

Sum Total: \$4,750,000
 + \$14,250,000
 \$19,000,000

Demand is now made for Officers of the USDC, DOJ Attorneys, et. al., jointly and severally to pay over to Winston ShROUT as Sole Shareholder in WINSTON SHROUT, Settlor and Beneficiary of WINSTON SHROUT 401643573 the amount of Nineteen million (19,000,000) in functional currency other than the Federal Reserve Note, preferably the United States Note or Treasury Reserve Note.

Surety:

The surety for failure of Officers of the USDC/DOJ Attorneys, et. al., to settle this True Bill in Commerce is, but not limited to: any and all bank accounts, any and all bonds and securities, any and all properties (such as but not limited to the US Federal Courthouse in Portland, Oregon, i.e., Mark O. Hatfield U.S. Courthouse), and any and all properties under control of the USDC/DOJ Attorneys, et. al.. If the above mentioned assets are not sufficient to cure the True Bill, **then the private possessions of Officers of the USDC/DOJ Attorneys who are all benefitting from this action under "benefit of office"** are to be seized to satisfy the True Bill. Excluded are any property needed for basic survival.

I, Winston ShROUT, on my own unlimited commercial liability do state that I have read the above PLEA IN BAR AND DEMAND FOR WRITTEN BILL OF PARTICULARS AND TRUE BILL IN COMMERCE, and do know the contents to be true, correct, complete and not misleading, the truth, the whole truth, and nothing but the truth.

Winston ShROUT
Winston ShROUT, Sole Shareholder in WINSTON SHROUT, Settlor and Beneficiary of
WINSTON SHROUT 401643573

3/25/16
Date



PROOF OF SERVICE

Be it known that on the date of March 25, 2016, that a copy of this above was served at the
place of business to the following:

Billy J. Williams, US Attorney, Bar # unknown
c/o US District Court, Mark O. Hatfield US Courthouse
1000 SW Third Avenue, ste 600
Portland, Oregon 97204

Winston ShROUT
Hon. Winston ShROUT
UN Charter Control Number 10-60847
Immunity and Authority Guaranteed under Great Seal No. 63225889

